IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 30885 of 1997

Dated 7th March, 2007

Between

Tapathi Agro Farms, rep. By its Proprietor
M.Venkatramulu

…Petitioner

and

The State of AP, rep. By its Secretary,
Revenue (Excise) Department, Secretariat, Hyderabad
And ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 30885 of 1997

ORDER:

In this Writ Petition, the petitioner has questioned the validity of G.O.Ms.No. 644, Revenue (E) Department, dated 15-06-1976, by which, an amount of Rs.25/- per Metric Tonne was charged towards administrative charges for exporting Molasses.

It is submitted by the learned Counsel appearing on either side that a Division Bench of this Court in the case of *M/s. Shri Krishna Pasu Aahar Bhanupuri, Raipur, Madhya Pradesh, rep. By its Manager, Naresh Kumar Agarwal Vs. Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad*, held that there is no power for the State

Government to impose any restrictions or levy charges in the sale, storage, purchase or transportation of Molasses either within the State of Andhra Pradesh or outside the State. Therefore, the demand for payment of Rs.25/- per Metric Tonne towards administrative charges is not sustainable.

Following the judgment of the Division Bench of this Court, referred above, this Writ Petition is allowed in terms thereof. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 07-03-2007.
Msnr.